

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MATTHEW CAPELLI, individually,
and CAPELLI CONSTRUCTION,
LLC,

Plaintiffs,

v.

Case No. 3:21-cv-404-MMH-PDB

TOTAL CONSTRUCTION OF
FLORIDA, INC., et al.,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report & Recommendation (Dkt. No. 35; Report) entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on October 19, 2021. In the Report, Judge Barksdale recommends that the Clerk of the Court be directed to enter a Clerk's Default against Defendants in this matter. See Report at 2. Defendants have failed to file objections to the Report, and the time for doing so has passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district


court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Report & Recommendation (Dkt. No. 35) is **ADOPTED** as the opinion of the Court.
2. The Clerk of the Court is directed to enter a Clerk's Default against each of the Defendants in this matter.

DONE AND ORDERED at Jacksonville, Florida, this 9th day of November, 2021.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Pro Se Parties